

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, December 16, 2014**

Council Members Bud Otis, President; M.C. Keegan-Ayer, Vice-President; Tony Chmelik, Kirby Delauter, Jerry Donald, Jessica Fitzwater, and Billy Shreve were present for the meeting. Also present were Joyce Grossnickle, Administrative Officer and Patti Morrow, Recording Secretary.

President Otis called the meeting to order at 3:00 p.m. in the first floor hearing room, Winchester Hall, 12 East Church Street, Frederick, Maryland.

The meeting began with an invocation followed by the recitation of the Pledge of Allegiance.

Business Items:

Approval of Minutes

The following minutes were approved by unanimous consent:

- November 20, 2014 (Board of County Commissioners' Morning Meeting)
- November 20, 2014 (Board of County Commissioners' Evening Meeting)
- November 24, 2014 (Board of County Commissioners)
- December 1, 2014 (County Council)

Development Rights and Responsibilities Agreement (DRRA) Update – John Mathias, County Attorney's Office

Mr. Mathias updated the Council on the status of the Lansdale DRRA.

No action was taken as this item was informational.

Overview of Robert's Rules of Order and Legislative Process – John Mathias, County Attorney's Office

Mr. Mathias presented a PowerPoint presentation on Robert's Rules of Order and the Legislative Process.

No action was taken as this item was informational.

Proposed County Council Rules of Procedure (Draft 2a) - Michael Chomel, County

Mr. Chomel presented the draft Proposed County Council Rules of Procedure.

Discussion ensued.

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Council Member Fitzwater moved to have any edits to the Rules of Procedure sent to Mr. Chomel for action to be taken at the next Council meeting. Council Member Keegan-Ayer seconded the motion that passed 6-1 with Council Member Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

Invocation Policy – John Mathias, County Attorney’s Office

Mr. Mathias presented the proposed Invocation Policy.

Council Member Chmelik moved to accept the policy and attach it to the Rules of Procedure. Council Member Shreve seconded the motion.

Council Member Chmelik amended the motion to approve the policy as presented. Council Member Shreve seconded the amendment.

The vote on the amended motion was 6-1 with Council Member Fitzwater opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater		X	
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

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Appointment of County Council Member Chmelik as Council Treasurer – Council President Bud Otis

Council Member Otis nominated Council Member Chmelik for the position of Treasurer of the Council. Council Member Keegan-Ayer seconded the nomination that passed 6-0-1 with Council Member Chmelik abstained.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik			X
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve	X		
Presiding Officer - Otis	X		

Termination of Service Contract/Disposition of Management and Administration Contribution – Mike Marschner, County Executive's Office

Mr. Marschner briefed the Council on recent payments from the Northeast Maryland Waste Disposal Authority (NMWDA) as a result of the termination of the Waste to Energy project. He indicated there were two payments: 1) a direct payment to Frederick County in the amount of \$251,695.12, and 2) a \$250,000 payment to the deferred revenue account maintained by the NMWDA for Frederick County.

Council Member Keegan-Ayer moved to approve the budget transfers that would transfer \$186,878.36 of the \$251,695.12 from the NMWDA to the Solid Waste Enterprise Fund Balance and transfer the remaining \$64,816.76 to the General Fund, specifically to the County Executive's budget for use in funding special projects staff. Council Member Fitzwater seconded the motion that passed 4-3 with Council Members Chmelik, Delauter and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik		X	
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis			
At-large - Shreve		X	
Presiding Officer - Otis	X		

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**Boards and Commissions – Liaison Assignments – Joyce Grossnickle,
Administrative Officer**

Ms. Grossnickle presented a listing of the boards and commissions that provide a wide variety of government functions. The listing reflected the boards and commissions that the Council Members had expressed interest in serving as the official liaison. Ms. Grossnickle noted the listing would need to be forwarded to County Executive Jan Gardner for her approval.

Council Member Fitzwater moved forwarding the list to County Executive Gardner. Council Member Keegan-Ayer seconded the motion that passed 6-0-1 with Council Member Shreve abstained.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

**Maryland Department of Planning Tier 4 Exemption – Transfer Development
Rights Program – Gary Hessong, Community Development Division**

Council Member Chmelik made a motion to table the discussion to the next scheduled Council meeting. Council Member Keegan-Ayer seconded the motion that passed 6-0-1 with Council Member Shreve abstained.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik	X		
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter	X		
At-large - Otis			
At-large - Shreve			X
Presiding Officer - Otis	X		

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Council Member Otis announced the next meeting would be held on Tuesday, January 20, 2015. Discussion was held and it was decided a meeting would be held on Tuesday, January 6, 2015, to discuss the business carried over from today's meeting.

Council Member Otis noted for the record he had received the County Executive Gardner's proposed FY 2016 budget on Tuesday, December 13, 2014, at 4:00 p.m. and forwarded it to the Council Members at 7:00 p.m.

Public Comment

- Rand Weinberg, Esquire
- George Rudy
- John Gretz
- Blaine Young

Council Member Delauter requested clarification of the budget officer's position and also noted he was not in favor of the education liaison position.

Council Member Shreve requested that public comment and Council Member comments be listed on the agenda at the beginning and end of a meeting. He also requested the Council hire the Charter advisor from the University of Maryland to provide guidance to the Council from this point forward.

Council Member Fitzwater requested the addition of a consent agenda on the agenda.

Ms. Trisha Griffis, Director, Internal Audit, commented on the issue of having an elected official serve as the liaison to the Interagency Internal Audit Authority.

It was suggested that a worksession be scheduled in early January 2015 to discuss the issue of Council staff.

Adjourn

The meeting adjourned at 5:59 p.m.

Bud Otis, President
County Council